

Environmental Clearance Application
Initial Study

King Road Self Storage
PDC04-025

Application by
Bay Area Self Storage

July 14, 2004
as revised
September 23, 2004

Mindigo & Associates Environmental Consultants

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TABLE OF CONTENTS

I. PROJECT DESCRIPTION	
A. General Information.....	1
B. Project Objective	11
C. Description	11
II. ENVIRONMENTAL SETTING, IMPACT CHECKLIST AND MITIGATION	
1. Aesthetics.....	23
2. Agriculture Resources	25
3. Air Quality.....	27
4. Biological Resources	32
5. Cultural Resources	45
6. Geology and Soils	48
7. Hazards and Hazardous Materials	54
8. Hydrology and Water Quality	58
9. Land Use and Planning	63
10. Mineral Resources	65
11. Noise	66
12. Population and Housing	70
13. Public Services	71
14. Recreation	74
15. Transportation / Traffic	75
16. Utilities and Service Systems	83
17. Mandatory Findings of Significance.....	87

APPLICANT'S CERTIFICATION

APPENDIX

Authors and Consultants
Disclosure Statement
Persons and Organizations Consulted
Sources and References

TECHNICAL APPENDIX

Tree Survey
Burrowing Owl Survey
Archaeological Reconnaissance
Geotechnical Investigation
Hazardous Materials Report
Traffic Analysis

LIST OF TABLES

1.	Project Data	14
2.	Local Air Quality	28
3.	Existing Trees	38
4.	Existing Levels of Service	78
5.	Project Traffic Generation	80
6.	Project Levels of Service	82

LIST OF FIGURES

1.	Santa Clara Valley Map	2
2.	USGS Map	3
3.	Vicinity Map	4
4.	Assessor's Parcels	5
5.	Aerial Photo of the Vicinity	6
6.	Aerial Photo of the Site	7
7.	View of the Site	8
8.	View of the Site	9
9.	View of the Site	10
10.	Land Use Plan	16
11.	Conceptual Site Plan	17
12.	Conceptual Grading Plan	18
13.	Conceptual Floor Plans	19
14.	Conceptual Building Elevations	20
15.	Conceptual Storage Plan	21
16.	Preliminary Planting Plan	22
17.	Tree Locations	33
18.	Ordinance-Sized Trees	34
19.	Ordinance-Sized Trees	35
20.	Ordinance-Sized Trees	36
21.	Ordinance-Sized Trees	37
22.	Major Street System	76
23.	Traffic Impacts	81

City of San Jose

Department of Planning, Building and Code Enforcement
801 North First Street, Room 400
San Jose, CA 95110
(408) 277-4576

ENVIRONMENTAL CLEARANCE APPLICATION

TO BE COMPLETED BY PLANNING DIVISION STAFF		
FILE NUMBER:		RECEIPT #: _____
ND GRANTED:	EIR REQUIRED:	DATE: _____
PROJECT MANAGER:	ENVIRONMENTAL COORDINATOR:	AMOUNT: _____
		BY: _____
NOTES:		

I. PROJECT DESCRIPTION

A. GENERAL INFORMATION

Applicant:

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Cupertino, CA 95014
408-872-2277, (fax) 408-996-8425
Attn: Mike Walsh

Property Owner:

Entravision Communications Corporation
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Suite 6000 West
Santa Monica, CA 90404
310-447-3870

Environmental Consultant:

Mindigo & Associates
1984 The Alameda
San Jose, CA 95126
408-554-6531, (fax) 408-554-6577

Name of Project:

King Road Self Storage

Location of Project:

Westerly side of King Road, approximately 800
Feet northerly of Aborn Road (2905 S. King

Road)

Brief Description of Project:

A self storage facility with RV/boat storage spaces, and a manager's office/residence, future radio transmitter building, existing transmitter/office building, and 3 radio transmission towers on a 9.91-acre site.

Assessor's Parcel Number(s):

670-12-005 through -007

Click here for [SANTA CLARA VALLEY MAP](#) (Figure 1)

Click here for [USGS MAP](#) (Figure 2)

Click here for [VICINITY MAP](#) (Figure 3)

Click here for [ASSESSOR'S PARCELS MAP](#) (Figure 4)

Click here for [AERIAL PHOTO OF THE VICINITY](#) (Figure 5)

Click here for [AERIAL PHOTO OF THE SITE](#) (Figure 6)

Click here for [VIEW OF THE SITE](#) (Figure 7)

Click here for [VIEW OF THE SITE](#) (Figure 8)

Click here for [VIEW OF THE SITE](#) (Figure 9)

B. PROJECT OBJECTIVE

The objective of this project is to construct a high quality, self storage facility on the site, in accordance with the goals and policies of the City of San Jose. The applicant believes that there is a need for this use in this area. The need for storage facilities is supported by goals for the development of the property by the West Evergreen Strong Neighborhoods Initiative.

C. DESCRIPTION

The project is a Planned Development (PD) zoning application to allow the construction of a self storage facility that includes 16 storage buildings totaling 158,650 square feet (14 buildings with 124,450 square feet in Phase I, and 2 buildings with 34,200 square feet in Phase II), as well as a 2-story 2,700-square-foot manager's office/residence building, a 1,250-square-foot future radio transmitter building, and 87 spaces for outdoor boat and recreational vehicle (RV) storage. The existing transmitter/office building and the three existing radio antenna towers are to remain.

The Project Data table and reduced copies of the project plans follow. Full size copies are available for review at the City of San Jose Department of Planning, Building and Code Enforcement.

Storage Buildings

There are 16 planned storage buildings with a total of 1,279 storage units. Fourteen (14) buildings (925 storage units) are planned with Phase I; 2 buildings (354 storage units) are planned with Phase II. The storage buildings are planned to be one-story, concrete tilt-up structures with tan-colored cementitious shiplap siding and precast concrete walls with tan-colored textured finish or light tan-colored smooth finish exteriors and metal roofs. Decorative foam trim and molding and green-stained smooth finish lower walls provide accents. The outside-entry storage units are to have teal green metal roll-up doors separated by tan-colored precast concrete columns. Architectural towers in the northeasterly and southeasterly portions of Building A are to include green windows and trim and green metal roofs.

Manager's Office/Residence

The manager's office/residence building is planned to be a two-story, wood frame structure with tan-colored cementitious shiplap siding exteriors. Brown decorative brackets, green windows and trim, green gutters, and a wrap-around porch with redwood posts and railings provide accents. The building is to include a brown composite roof, while an architectural tower in the northeasterly corner is to include green windows and trim and a green metal roof.

Future Radio Transmitter Building

The future radio transmitter building is planned to be a one-story, masonry structure with tan-colored textured finish exteriors.

Existing Building

The existing 8,050-square-foot transmitter/office building and adjacent land (0.9 acre total) in the northeasterly corner of the project site are to remain. A new 39-stall parking lot is to be provided with a new driveway across from Monrovia Drive. Additionally, all ground areas are to be provided with new landscaping and irrigation.

Landscaping

The landscaping proposed is shown in schematic form on the Preliminary Planting Plan, Figure 16. Street trees, specimen trees, shrubs, lawn and/or groundcover are planned along the S. King Road frontage and around the gated entry area, and along the edge of the future street connection in the southwesterly corner of the site. The entry gate is to be wrought iron. The manager's fenced yard is to be landscaped with lawn and perimeter trees. Existing perimeter trees and new shrub plantings are to surround the existing radio station building.

Access

Access to the project site is from S. King Road via a keypad-controlled sliding security gate. Secondary gated access is to be provided to the future public street connection in the southwesterly corner of the site for emergency vehicle access only. The internal project driveway system is to be private. Access to the existing transmitter/office building is to be provided by a new driveway opposite Monrovia Drive.

Parking

Off-street parking for the project is to be provided near the manager's office in the southeasterly portion of the site and adjacent to the future radio transmitter building. A total of 6 off-street parking spaces are to be provided by the project, as listed in the Project Data table. Storage building parking is to be provided along the drive aisles for loading and unloading; and RV/boat storage tenants would park in their own rental space. Off-street parking at the existing transmitter/office building is to be provided by a new 39-stall parking lot.

Exterior Lighting

Downward-directed low-pressure sodium vapor lighting fixtures are to be provided along the drive aisles. The lighting is to be controlled with photo-electric cells and automatic timers.

Utilities

All utilities required to serve the project, including sanitary sewer, wastewater treatment, water supply, storm drainage, natural gas, electricity and telephone, as further described in the following Utilities and Service Systems section, would be provided with the project. All of the utilities within the project are to be underground.

Demolition

There are no existing structures on the project site to be demolished.

Hazardous Materials

Hazardous materials other than those for normal household and yard use will not be used as a part of the operation of any of the establishments on the project site.

Grading

Grading planned for the project is shown on the following Conceptual Grading Plan, Figure 12. The final building pad and driveway grading for the project is to be designed to conform to the natural ground as closely as possible. The amount of grading planned is the minimum required to provide driveways that meet requirements for structural section and rate of grade, and to allow the construction of level building pads with positive drainage and an overland storm water release. In addition to the building pad and driveway excavation, trenching is required for the underground utilities and sewer connections. Approximately 20,000 cubic yards of fill material are estimated to be required for the grading operations. The maximum finished fill is estimated to be less than three feet, with an average fill of approximately one foot.

Tree Removal

There are 45 existing trees onsite, those of which that are to be removed are further discussed in the following Biological Resources section.

Public Improvements

Public improvements planned with the project include the dedication of right-of-way for a future street connection (connecting Camarena Place to Towers Lane) in the southwesterly corner of the site. Portions of the property have been dedicated to the City for the widening of the S. King Road roadway including pavement, curb, gutter and sidewalk as a Strong Neighborhoods Initiative project by the City of San Jose. Work is scheduled for Summer/Fall, 2004.

Public Land Reservations

There are no public land reservations with this project.

Other Related Permits

In addition to the proposed Planned Development (PD) zoning, other related permits to be obtained from the City of San Jose and/or any other public agency approvals required for this project by other local, State or Federal agencies are as follows:

Agency	Permit/Approval
City of San Jose	PD Permit, Grading Permit, Building Permits

Community Meeting

A community meeting to discuss the proposed project with neighbors has not been held; however, community meetings were held in 2003 in conjunction with the Strong Neighborhoods Initiative Neighborhood Advisory Committee and the General Plan Amendment process.

Table 1. Project Data

Category		Figure
Gross Acreage		9.9
Public Streets		0.4
Net Acreage		9.5
Building Area (<i>square feet</i>)		
Proposed		
Storage Buildings		
Phase I		
Building A	15,975	
Building B	10,150	
Building C	5,350	
Building D	8,100	
Building E	16,900	
Building F, J, K and N	27,775	
Building G	7,950	
Building H	9,250	
Building I	7,900	
Building L	7,500	
Building M	7,600	
	<u>124,450</u>	
Phase II		
Building O	17,500	
Building P	16,700	
	<u>158,650</u>	158,650
Manager's Office/Residence		2,700
Future Radio Transmitter Building		<u>1,250</u>
		162,600
Existing		
Transmitter/Office Building (to remain)		<u>8,050</u>
Total		170,650
Storage Units		
Proposed – Phase I		925
Future – Phase II		<u>354</u>
Total		1,279
Boat/RV Storage Spaces		
Proposed – Phase I		150
Future – Phase II (150 – 63)		87
Building Height (<i>feet</i>)		
Manager's Office/Residence		30
Storage Buildings		11
Estimated Number of Employees		2

Table 1. Project Data (Cont.)

Category		Figure
New Parking Spaces		
Future Radio Transmitter Building		
Standard		1
Manager's Office/Residence		
Standard		4
Accessible		<u>1</u>
Total		6
Existing Transmitter/Office Building		39
Coverage Factors		
	Acres	Percent
Buildings	3.9	40
Boat/RV Storage	2.1	21
Landscaping	0.8	8
Vehicular Area	2.7	28
Public Streets	<u>0.4</u>	<u>3</u>
Total	9.9	100
Impervious Areas		
	Acres	Percent
Existing	0.5	5
Project	8.5	86
Start/Completion Dates		
Phase I	Winter, 2005 / Winter, 2006	
Phase II	Unknown	

Click here for [LAND USE PLAN](#)
(FIGURE 10)

11 x 17

Click here for [CONCEPTUAL SITE PLAN](#)
(FIGURE 11)

11 x 17

Click here for [CONCEPTUAL GRADING PLAN](#)
(FIGURE 12)

11 x 17

Click here for [CONCEPTUAL FLOOR PLANS](#)
(FIGURE 13)

11 x 17

Click here for [CONCEPTUAL BUILDING ELEVATIONS](#)
(FIGURE 14)

11 x 17

Click here for [CONCEPTUAL STORAGE PLAN](#)
(FIGURE 15)

11 x 17

Click here for [PRELIMINARY PLANTING PLAN](#)
(FIGURE 16)

11 x 17

II. ENVIRONMENTAL SETTING, IMPACT CHECKLIST AND MITIGATION

1. AESTHETICS

SETTING

The current view of the project site consists primarily of a transmitter/office building surrounded by trees, outdoor radio transmission antenna towers and vacant land, which can be seen in the preceding photographs, Figures 7 through 9.

Scenic Route

The project site is not located adjacent to a designated scenic route.

SIGNIFICANCE CRITERIA

The proposed project would have a significant impact on aesthetics if it would:

- Have a substantial adverse effect on a scenic vista.
- Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings and historic buildings within a state scenic highway.
- Substantially degrade the existing visual character or quality of the site and its surroundings.
- Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area.
- Increase the amount of shade in public and private open space on adjacent sites.

IMPACT AND MITIGATION

ISSUES	POTENTIALLY SIGNIFICANT IMPACT	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	LESS THAN SIGNIFICANT IMPACT	NO IMPACT	SOURCES
1. AESTHETICS. Would the project:					
a. Have a substantial adverse effect on a scenic vista?				X	25,26,27
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings and historic buildings within a state scenic highway?				X	25, 26,27,29
c. Substantially degrade the existing visual character or quality of the site and its surroundings?		X			25,26,27
d. Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?		X			25,26,28
e. Increase the amount of shade in public and private open space on adjacent sites?			X		25,26,28

The current view of the site consists primarily of a transmitter/office building surrounded by trees, outdoor radio transmission antenna towers and vacant land as shown on the preceding photographs, Figures 7 through 9. The project would change the view of the site from the transmitter/office building, outdoor radio transmission antenna towers, trees and vacant land to self storage buildings, outdoor boat/RV storage, a manager's office/residence, a future radio transmitter building, the existing transmitter/office building and outdoor radio transmission antenna towers.

Light and Glare

The project could potentially produce offsite light and glare. The project would be designed to utilize downward-directed low pressure sodium vapor lights along the interior drive aisles in order to prevent offsite light and glare.

Temporary Construction Visual Impacts

Construction of a typical project causes short-term visual impacts. The grading operations create a visual impact, and construction debris, rubbish and trash can accumulate on construction sites and are unsightly if visible from public streets. The completion of the project improvements and landscaping would eliminate the short-term visual impacts of the grading and construction operations.

MITIGATION MEASURES INCLUDED IN THE PROJECT

Project Measures

- Trees and landscaping shall be provided.

Light and Glare

- Downward-directed low pressure sodium vapor lights along the interior drive aisles shall be provided in order to prevent offsite light and glare.

Temporary Construction Visual Impacts

- Public streets that are impacted by project construction activities shall be swept and washed down daily.
- Debris, rubbish and trash shall be cleared from any areas onsite that are visible from a public street.

2. AGRICULTURE RESOURCES

SETTING

Important Farmlands

The *Santa Clara County Important Farmland Map*, prepared by the California Department of Conservation and the USDA Soil Conservation Service, classifies land in seven categories in order of significance: 1) prime farmland, 2) farmland of Statewide importance, 3) unique farmland, 4) farmland of local importance, 5) grazing land, 6) urban and built-up land and 7) other land. The project site is classified as "urban and built-up land," which is defined as land occupied by structures with a building density of at least one unit to one and one-half acres.

Williamson Act

The California Land Conservation Act ("Williamson Act") was enacted to help preserve agricultural and open space lands via a contract between the property owner and the local jurisdiction. Under the contract, the owner of the land agrees not to develop the land in exchange for reduced property taxes. The project site is not under a Williamson Act contract.

SIGNIFICANCE CRITERIA

The proposed project would have a significant impact on agriculture resources if it would:

- Convert Prime Farmland, Unique Farmland or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use.
- Conflict with existing zoning for agricultural use, or a Williamson Act contract.
- Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use.

IMPACT AND MITIGATION

ISSUES	POTENTIALLY SIGNIFICANT IMPACT	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	LESS THAN SIGNIFICANT IMPACT	NO IMPACT	SOURCES
2. AGRICULTURE RESOURCES. Would the project:					
a. Convert Prime Farmland, Unique Farmland or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				X	30,31
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X	32,57
c. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use?				X	25,26,28

Important Farmlands

The project site is classified as urban and built-up land on the *Important Farmland Map* for Santa Clara County. Since the site is not classified as farmland, the project would not have a significant impact on agricultural land.

MITIGATION MEASURES INCLUDED IN THE PROJECT

None required.

3. AIR QUALITY

SETTING

Bay Area Air Quality Management District

The project site is located in the Bay Area Air Quality Management District (BAAQMD). The District includes seven Bay Area counties and portions of two others. Air quality emission and control standards are established by the BAAQMD and the California Air Resources Board, and by the Environmental Protection Agency (EPA) at the Federal level. These agencies are responsible for developing and enforcing regulations involving industrial and vehicular pollutant emissions, including transportation management and control mitigation measures.

Regional Climate

The air quality of a given area is not only dependent upon the amount of air pollutants emitted locally or within the air basin, but also is directly related to the weather patterns of the region. The wind speed and direction, the temperature profile of the atmosphere, and the amount of humidity and sunlight determine the fate of the emitted pollutants each day, and determine the resulting concentrations of air pollutants defining the “air quality.”

The Bay Area climate is Mediterranean, with mild, rainy winters November through March, and warm, sunny and nearly dry summers June through September. Summer temperature inversions trap ground level pollutants. Winter conditions are less conducive to smog, but thin evening inversions sometimes concentrate carbon monoxide emissions at ground level.

Air Quality Standards

The U.S. Environmental Protection Agency (U.S. EPA) and the California Air Resources Board have both established ambient air quality standards for common pollutants to avoid adverse health effects from each pollutant. The pollutants, which include ozone, carbon monoxide (CO), nitrogen dioxide, and particulate matter (PM₁₀ and PM_{2.5}), and their standards are included in the Local Air Quality table that follows.

Regional Air Quality

The Federal Clean Air Act and the California Clean Air Act of 1988 require that the State Air Resources Board, based on air quality monitoring data, designate portions of the state where the federal or state ambient air quality standards are not met as “nonattainment areas”. In June of 1998, the U.S. EPA reclassified the Bay Area from “maintenance area” to nonattainment for ozone based on violations of the federal standards at several locations in the air basin. This reversed the air basin’s reclassification to “maintenance area” for ozone in 1995. Reclassification required an update to the region’s federal air quality plan.

Under the California Clean Air Act, Santa Clara County is a nonattainment area for ozone and particulate matter (PM₁₀). The county is either attainment or unclassified for the other pollutants. The California Clean Air Act requires local air pollution control districts to prepare air quality attainment plans; these plans must provide for district-wide emission reductions of five percent per year averaged over consecutive three-year periods or, if not, provide for adoption of “all feasible measures on an expeditious schedule”.

Local Air Quality

Air quality in the project area is subject to the problems experienced by most of the Bay Area. Emissions from millions of vehicle-miles of travel each day often are not mixed and diluted, but are trapped near ground level by an atmospheric temperature inversion. Prevailing air currents generally sweep from the mouth of the Bay toward the south, picking up and concentrating pollutants along the way. A combination of pollutants emitted locally, the transport of pollutants from other areas, and the natural mountain barriers (the Diablo Range to the east and the Santa Cruz Range to the southwest) produce high concentrations. Air quality data from the last three years at the nearest BAAQMD monitoring station in San Jose, and Federal and State standards, are shown in the following table.

Table 2. Local Air Quality

Pollutant	Standard	Days Exceeding Standard		
		2000	2001	2002
OZONE				
State 1-hour	0.09 ppm	0	2	na*
Federal 1-hour	0.12 ppm	0	0	na*
Federal 8-hour	0.08 ppm	0	0	na*
CARBON MONOXIDE				
State/Federal 8-hour	9.0 ppm	0	0	0
NITROGEN DIOXIDE				
State 1-hour	0.25 ppm	0	0	0
PARTICULATE MATTER (PM ₁₀)				
State 24-hour	50 µg/m ³	7	4	2
Federal 24-hour	150 µg/m ³	0	0	0
PARTICULATE MATTER (PM _{2.5})				
Federal 24-hour	65 µg/m ³	na**	na**	0

ppm = parts per million

µg/m³ = micrograms per cubic meter

SOURCE: Bay Area Air Quality Management District monitoring data for San Jose.

* The San Jose 4th Street monitoring station was closed for relocation on April 30, 2002, and reopened as San Jose Central on October 5, 2002. Ozone statistics for 2002 are not available.

** 2002 is the first year reporting PM_{2.5} statistics.

Project Site

The project site is similar to other locations in the South Bay; air quality meets adopted State and/or Federal standards (the more stringent standard applies) on most days, and during periods when regional atmospheric conditions are stagnated, the air quality is poor throughout the extended South Bay area. There are no existing sources on the project site that currently adversely affect local air quality.

Sensitive Receptors

Sensitive receptors are facilities where sensitive receptor population groups (children, the elderly, the acutely ill and the chronically ill) are likely to be located. These land uses include residences, schools, playgrounds, child care centers, retirement homes, convalescent homes, hospitals and medical clinics. The closest sensitive receptors are the single family detached residences surrounding the project site.

SIGNIFICANCE CRITERIA

The proposed project would have a significant impact on air quality if it would:

- Conflict with or obstruct implementation of the applicable air quality plan.
- Violate any air quality standard or contribute substantially to an existing or projected air quality violation.
- Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is classified as non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors).
- Expose sensitive receptors to substantial pollutant concentrations.
- Create objectionable odors affecting a substantial number of people.

IMPACT AND MITIGATION

ISSUES	POTENTIALLY SIGNIFICANT IMPACT	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	LESS THAN SIGNIFICANT IMPACT	NO IMPACT	SOURCES
3. AIR QUALITY. Would the project:					
a. Conflict with or obstruct implementation of the applicable air quality plan?				X	29,34
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?		X			26,34
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is classified as non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors)?			X		26,34

ISSUES	POTENTIALLY SIGNIFICANT IMPACT	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	LESS THAN SIGNIFICANT IMPACT	NO IMPACT	SOURCES
3. AIR QUALITY (Cont.). Would the project:					
d. Expose sensitive receptors to substantial pollutant concentrations?			X		28,34
e. Create objectionable odors affecting a substantial number of people?				X	26,28

Project Impacts

For most types of development projects, motor vehicles traveling to and from the project represent the primary source of air pollutant emissions associated with the project. The BAAQMD has established thresholds of significance for these indirect impacts from projects on local and regional air quality. An air quality analysis is recommended when vehicle emissions of carbon monoxide (CO) exceed 550 lbs/day; and if a project generates over 80 lbs/day of reactive organic gases (ROG), nitrogen oxides (NO_x) or suspended particulate matter (PM₁₀), it would have a significant air quality impact. The District has also developed sizes or activity levels for various types of land use, using default values, that would exceed the threshold of significance for NO_x (80 lbs/day). For most development, the size is 2,000 vehicle trips per day. The project would generate fewer than 2,000 trips per day and, therefore, would not have a significant air quality impact.

Odors

The project would not generate objectionable odors or place sensitive receptors adjacent to a use that generates odors (i.e., landfill, composting, etc.).

Temporary Construction Air Quality

Project construction would produce short-term fugitive dust generated as a result of soil movement and site preparation. Construction would cause dust emissions that could have a significant temporary impact on local air quality. Fugitive dust emissions would be associated with site preparation activities, such as excavation and grading, and building construction. Dust emissions would vary substantially from day to day, depending on the level of activity, the specific operations, and weather conditions. Particulates generated by construction are recognized, but small, contributing sources to regional air quality. While it is a potential impact, construction dust emissions can be mitigated by dust control and suppression practices that are appropriate for the project and level of activity.

MITIGATION MEASURES INCLUDED IN THE PROJECT

Project Measures

Temporary Construction Air Quality

- A Construction Air Quality Plan shall be developed and implemented for dust control to include dust suppression practices such as: 1) frequent watering; 2) damp sweeping of haul routes, parking and staging areas; 3) installation of sandbags or other erosion control measures to prevent silt runoff to public roadways; 4) vehicle speed controls; 5) watering or the use of soil stabilizers on haul routes, parking and staging areas; 6) prohibition of grading during high winds; 7) hydroseeding areas where grading is completed or inactive; 8) covering of stockpiles and loads in haul vehicles; 9) maintaining at least two feet of freeboard in all haul vehicles; 10) limiting the area being graded at a given time; 11) monitoring of particulate levels; and 12) enforcement measures.

4. BIOLOGICAL RESOURCES

HortScience, Inc. conducted a tree survey and Live Oak Associates, Inc. conducted a burrowing owl survey, both of which are included in the Technical Appendix.

SETTING

Vegetation

The project site presently contains a transmitter/office building surrounded by trees; the remainder of the site contains outdoor radio transmission antenna towers and is barren except for a low herbaceous ground cover. There are no designated Heritage Trees on the site, and no rare or endangered plant species are known to inhabit the site.

Trees

A detailed tree survey of all trees on the site having trunk diameters of 6 inches or greater, or having multiple trunks, was conducted. A total of 35 trees, ranging in diameter from 6 inches to 30 inches, were tagged and evaluated. Two “trees” (Nos. 63 and 73) actually consist of rows of 7 and 5 Italian cypress trees, respectively; trees in each row are in identical condition, height and diameter and were surveyed as a group. Seventeen (17) trees exceed 18 inches in diameter and come under the review of the City's Tree Ordinance. The approximate locations of the trees are shown on the following Tree Locations map, and their description by type, size and general condition is given in the following table. Ordinance-sized trees are shown in **bold** in the table. Photographs of each Ordinance-sized tree also follow.

General conditions of the trees were determined using a rating system for individual tree health and structure conditions, by assigning values for these categories from one to five, with values of one being the worst rating and values of five being the best. Trees with values of one to two were rated as “poor”, values of three were rated as “fair”, and values of four to five were rated as “good”.

Riparian Corridor Habitat

Riparian corridor habitat, i.e., vegetation occurring along the banks of a waterway, is not located on or within 300 feet of the project site. The project would not be constructed within 100 feet of riparian corridor habitat (within 100 feet of the top of bank or edge of riparian vegetation of any waterway).

Wildlife

The project site contains some developed land, with the remainder open, vacant land. Wildlife typically associated with this habitat type include birds, reptiles, and small mammals. No rare or endangered animal species are known to inhabit the site. The site does not contain any known important wildlife breeding, nesting or feeding areas.

Click here for [TREE LOCATIONS MAP](#)
(FIGURE 17)

8 1/2 X 11

Click here for (PHOTOGRAPHS OF) [ORDINANCE-SIZED TREES](#)
(FIGURE 18)

8 1/2 X 11

Click here for (PHOTOGRAPHS OF) [ORDINANCE-SIZED TREES](#)
(FIGURE 19)

8 1/2 X 11

Click here for (PHOTOGRAPHS OF) [ORDINANCE-SIZED TREES](#)
(FIGURE 20)

8 1/2 X 11

Click here for (PHOTOGRAPH OF) [ORDINANCE-SIZED TREES](#)
(FIGURE 21)

8 1/2 X 11

Table 3. Existing Trees

No.	Scientific Name	Common Name	Dia. * (in.)	Ht. (ft.)	Gen. Cond.	To Be Removed
39.	<i>Zelkova serrata</i>	Zelkova	17	25	Fair	
40.	<i>Pinus pinea</i>	Italian Stone Pine	32	35	Fair	
41.	<i>Pinus pinea</i>	Italian Stone Pine	27	25	Poor	City
42.	<i>Pinus pinea</i>	Italian Stone Pine	12	22	Poor	
43.	<i>Zelkova serrata</i>	Zelkova	15	25	Good	X
44.	<i>Pinus pinea</i>	Italian Stone Pine	34	30	Fair	
45.	<i>Pinus pinea</i>	Italian Stone Pine	34	40	Fair	
46.	<i>Pinus pinea</i>	Italian Stone Pine	28	40	Fair	
47.	<i>Pinus pinea</i>	Italian Stone Pine	30	40	Poor	
48.	<i>Pinus pinea</i>	Italian Stone Pine	27	35	Fair	
49.	<i>Prunus serrulata</i>	Cherry	9	30	Poor	
50.	<i>Ligustrum lucidum</i>	Glossy Privet	8	15	Poor	
51.	<i>Morus alba</i>	Mulberry	6	15	Good	
52.	<i>Zelkova serrata</i>	Zelkova	18	25	Fair	X
53.	<i>Pinus pinea</i>	Italian Stone Pine	29	35	Poor	X
54.	<i>Zelkova serrata</i>	Zelkova	15	25	Fair	X
55.	<i>Zelkova serrata</i>	Zelkova	12	20	Good	X
56.	<i>Zelkova serrata</i>	Zelkova	16	25	Fair	X
57.	<i>Zelkova serrata</i>	Zelkova	18	25	Poor	
58.	<i>Zelkova serrata</i>	Zelkova	12	25	Fair	
59.	<i>Zelkova serrata</i>	Zelkova	20	30	Fair	
60.	<i>Zelkova serrata</i>	Zelkova	13	25	Good	
61.	<i>Zelkova serrata</i>	Zelkova	12	25	Fair	X
62.	<i>Zelkova serrata</i>	Zelkova	18	30	Poor	X
63.***	<i>Cupressus sempervirens</i>	Italian Cypress	6	8	Fair	X
64.	<i>Fraxinus velutina</i>	Modesto Ash	22	40	Fair	X
65.	<i>Fraxinus velutina</i>	Modesto Ash	13	30	Poor	X
66.	<i>Pinus pinea</i>	Italian Stone Pine	19	30	Fair	X
67.	<i>Fraxinus velutina</i>	Modesto Ash	8,7,7**	30	Poor	X
68.	<i>Olea europaea</i>	Olive	6	15	Fair	X
69.	<i>Ulmus pumila</i>	Siberian Elm	30	40	Fair	X
70.	<i>Olea europaea</i>	Olive	9,6,5**	15	Fair	X
71.	<i>Pinus radiata</i>	Monterey Pine	14	30	Poor	X
72.	<i>Pinus radiata</i>	Monterey Pine	13	25	Poor	X
73.****	<i>Cupressus sempervirens</i>	Italian Cypress	12	20	Good	2X

Note: Some trees have multiple stems from a single trunk.

Ordinance-sized trees are shown in **bold**.

* Diameter at 2 feet above ground.

** Combined total represents Ordinance-sized tree.

*** Tree No. 63 represents a row of 7 Italian Cypress trees, all with identical diameters, heights and conditions.

**** Tree No. 73 represents a row of 5 Italian Cypress trees, all with identical diameters, heights and conditions.

Raptors

All raptors (i.e., eagles, hawks and owls) and their nests are protected under both Federal and State regulations. The Federal Migratory Bird Treaty Act prohibits killing, possessing or trading in migratory birds except in accordance with regulations prescribed by the Secretary of the Interior. This Act encompasses whole birds, parts of birds and bird nests and eggs. Birds of prey are protected in California under the State Fish and Game Code. Section 3503.5 states that is is “*unlawful to take, possess, or destroy any birds in the order Falconiformes or Strigiformes (birds of prey) or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by this code or any regulation adopted pursuant thereto.*” Construction disturbance during the breeding season could result in the incidental loss of fertile eggs or nestlings, or otherwise lead to nest abandonment. Disturbance that causes nest abandonment and/or loss of reproductive effort is considered “taking” by the CDFG. Any loss of fertile eggs or nesting raptors, or any activities resulting in nest abandonment would constitute a significant impact. Construction activities such as tree removal, site grading, etc., that disturb a nesting raptor onsite or immediately adjacent to the site constitute a significant impact.

No stick nests were observed in the landscape trees on the project site during May, 2004 surveys.

Burrowing Owls

The burrowing owl is a small, terrestrial owl that occurs in annual and perennial grasslands, deserts and scrublands with low-growing vegetation. Suitable owl habitat may also include trees and shrubs if the canopy does not cover more than 30 percent of the ground surface. Burrows, which provide protection, shelter and nests for burrowing owls, represent an essential component of this species’ habitat. Burrowing owls typically use burrows made by fossorial (burrowing) animals, such as ground squirrels or badgers, but they will also use man-made structures such as culverts, or openings beneath cement, asphalt paving or debris piles. Burrowing owls use such sites for breeding, wintering, foraging and migration stopovers. Occupancy of suitable habitat may be verified by observations of one or more burrowing owls on the site or by the presence of owl feathers, cast pellets (or prey remains), eggshell fragments or excrement in or near a burrow entrance. Burrowing owls are protected under a variety of state and federal laws including the Migratory Bird Treaty Act and the California Department of Fish and Game (CDFG) Code as a “Species of Special Concern”.

A pair of burrowing owls currently inhabit Meadowfair Park, which is located less than one-third mile to the northeast.

An initial (Phase I) burrowing owl survey was conducted on May 12, 2004 to determine if the site supports potentially suitable nesting habitat. Typically, sites in Santa Clara County that support open habitats (e.g., grasslands, ruderal habitats, etc.) and ground squirrel activity are

considered potentially suitable habitat for the burrowing owl. It was determined that potentially suitable habitat exists on the site for burrowing owls.

Phase II burrowing owl surveys were conducted in the afternoon of May 14, 2004, the mornings of May 15 and 16, 2004, and the afternoon of May 17, 2004. A total of 95 ground squirrel burrows were observed, either around the communications building and in the landscaped area adjacent to the parking lot, or concentrated in the northwestern portion of the field. Burrowing owl evidence (e.g., white wash, feathers, pellets) was completely lacking from the site.

SIGNIFICANCE CRITERIA

The proposed project would have a significant impact on biological resources if it would:

- Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive or special status species in local or regional plans, policies or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service.
- Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies or regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service.
- Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act including, but not limited to, marsh, vernal pool, coastal, etc., through direct removal, filling, hydrological interruption or other means.
- Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.
- Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.
- Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan.

IMPACT AND MITIGATION

ISSUES	POTENTIALLY SIGNIFICANT IMPACT	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	LESS THAN SIGNIFICANT IMPACT	NO IMPACT	SOURCES
4. BIOLOGICAL RESOURCES. Would the project:					
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive or special status species in local or regional plans, policies or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?		X			25,59,86

ISSUES	POTENTIALLY SIGNIFICANT IMPACT	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	LESS THAN SIGNIFICANT IMPACT	NO IMPACT	SOURCES
4. BIOLOGICAL RESOURCES (Cont.). Would the project:					
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies or regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				X	25,70
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act including, but not limited to, marsh, vernal pool, coastal, etc., through direct removal, filling, hydrological interruption or other means?				X	25
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?				X	25
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?		X			29,37,85
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan?				X	25,29

Trees

There are 45 trees on the project site, ranging in diameter from 6 to 30 inches, and two 28-inch diameter Italian stone pine stumps. The stumps are from two fire-damaged trees that were removed in 2002. Twenty-six (26) of the trees are planned to be removed with the project, as indicated by an "X" on the preceding Existing Trees table. Eight (8) of the trees to be removed with the project exceed 18 inches in diameter (56-inch circumference) and come under the review of the City's Tree Ordinance, which requires a permit for the removal of any tree with an 18-inch diameter (56-inch circumference) or greater. Ordinance-sized tree No. 41 is to be removed by the City Strong Neighborhoods Initiative project. Nineteen (19) trees, including 8 Ordinance-sized trees, are currently planned to be retained with the project, as shown on the Preliminary Planting Plan, Figure 16. Street trees would be planted along the public streets. Any tree that is removed and the two previously removed trees would be replaced with the addition of a new tree(s) at the following ratios:

≥18-inch diameter	4	24-inch box
12 to 17-inch diameter	2	24-inch box
<12-inch diameter	1	15-gallon

The replacement trees are shown on the preceding Preliminary Planting Plan, Figure 16.

Wildlife

The project requires the removal of 26 of the trees and the vegetation on the site. The birds and small mammals would diminish during the initial construction, but as the urban landscaping matures, birds that have adapted to the urban environment would return.

Tree-Nesting Raptors

The project site provides potentially suitable habitat for tree-nesting raptors. The site does not currently contain any raptor nests; however, pre-construction surveys for nesting raptors should be conducted.

Burrowing Owls

No burrowing owls or evidence of their presence were detected during protocol surveys on the project site in May, 2004. Ninety-five ground squirrel burrows were observed on the site. While the site does provide potentially suitable burrowing owl habitat, burrowing owls are considered presently absent.

It has been concluded that while the site provides potentially suitable burrowing owl habitat, burrowing owls do not currently occupy or forage on the site. Because there are currently no owls, and there is no record of owls in the past three years, the loss of potential habitat would not be a significant impact. Even though burrowing owls are presently absent from the site, they are a volant species; and pre-construction surveys should be conducted to ensure that site conditions have not changed and that no burrowing owls have begun over-wintering or breeding on the site.

MITIGATION MEASURES INCLUDED IN THE PROJECT

Program Measures

Trees

- Approval shall be obtained with the PD Permit for the removal of any tree with a diameter of 18 inches (56-inch circumference) or greater; and any such tree that is removed shall be replaced with a tree(s) as required by the San Jose Tree Ordinance.
- Trees to remain shall be safeguarded during construction by a Tree Protection Plan, including measures such as the storage of oil, gasoline, chemicals, etc. away from trees; grading around trees only as approved, and prevention of drying out of exposed soil where cuts are made; no dumping of liquid or solid wastes in the dripline or uphill from any tree; and construction of barricades around the dripline of the trees, as outlined in the City's Tree Ordinance, that shall be approved by the Planning Department prior to the issuance of a grading permit.

Project Measures

Trees

- Any Ordinance-sized (18-inch diameter or greater) tree that is or was removed shall be replaced by 4 new 24-inch box trees; the species of trees to be planted on the site shall be determined in consultation with the City Arborist and the Department of Planning, Building and Code Enforcement.
- In the event the developed portion of the project site does not have sufficient area to accommodate the required tree mitigation, one or more of the following measures shall be implemented at the project stage:
 - An alternative site(s) shall be identified for additional tree planting. Alternative sites may include local parks or schools or installation of trees on adjacent properties for screening purposes to the satisfaction of the Director of the Department of Planning, Building and Code Enforcement.
 - A donation of \$300.00 per mitigation tree shall be made to Our City Forest for in-lieu offsite tree planting in the community. These funds shall be used for tree planting and maintenance of planted trees for approximately three years. A donation receipt for offsite tree planting shall be provided to the Director of Planning, Building and Code Enforcement prior to issuance of a grading permit.

Tree-Nesting Raptors

- Pre-construction surveys for tree-nesting raptors shall be conducted by a qualified ornithologist within 30 days of the onset of ground disturbance, if ground disturbance is to occur during the breeding season (February 1st through August 31st); and if an active raptor nest is found on the site, the ornithologist, in consultation with the California Department of Fish and Game, shall determine the extent of a construction-free buffer zone to be established around the nest, the buffer zone shall be fenced, and no construction equipment or workmen shall enter the enclosed buffer zone until the conclusion of the breeding season.

Burrowing Owls

- A pre-construction survey for burrowing owls shall be conducted by a qualified ornithologist within 30 days prior to any ground disturbance activities.
- A buffer zone of a minimum of 250 feet shall be established around active burrowing owl nesting sites if nesting burrowing owls are discovered during pre-construction surveys conducted between February 1st and August 31st, and no disturbance shall occur within the buffer zone until a qualified biologist has determined that the young birds have fledged; and at least 6.5 acres of foraging habitat contiguous with the occupied burrow site shall be protected for each pair of breeding burrowing owls (with or without dependent young) or single unpaired resident bird.

- No disturbance shall occur within 160 feet of occupied burrows if over-wintering burrowing owls are discovered using the site during the non-breeding season (September 1st through January 31st); and at least 6.5 acres of foraging habitat contiguous with the occupied burrow site shall be protected for each pair of burrowing owls or single unpaired resident bird.
- If any burrowing owls are discovered using the site during the pre-construction surveys during the non-breeding season, a burrowing owl relocation plan to be approved by the California Department of Fish and Game shall be developed and implemented, including passive measures such as installation of one-way doors in active burrows for up to four days, careful excavation of all active burrows after four days to ensure no owls remain underground, and filling all burrows in the construction area to prevent owls from using them.

5. CULTURAL RESOURCES

Holman & Associates conducted an archaeological reconnaissance that is included in the Technical Appendix.

SETTING

Prehistoric Resources

The project site is within a potential archaeological resource zone as outlined on the maps on file at the City of San Jose Department of Planning, Building and Code Enforcement. Prior to a field reconnaissance, maps and records at the California Historical Resources Information System, located at Sonoma State University, were consulted for any record of archaeological remains in and around the project area. No sites are recorded in the immediate area. The project site was surveyed in 1982 with negative findings.

A field reconnaissance of the project site was done in May, 2004 as described in the report in the Technical Appendix. The reconnaissance was conducted by walking over the site in parallel lines spaced closely enough to provide a visual inspection. The property was largely covered by a dense grass covering – recent mowing of the grasses had left a mat covering approximately 75 percent of the ground surface. No surface material was found to indicate that the site was utilized by aboriginal populations.

There are no known cultural sites on the project site, nor does the site have any natural features of significant scenic value or with rare or unique characteristics.

Historic Resources

There is one existing structure located on the project site, which was constructed approximately 30 years ago. This structure is not listed as a City Landmark or Candidate City Landmark, or is listed or determined eligible for listing on the National or California Register of Historic Places.

SIGNIFICANCE CRITERIA

The proposed project would have a significant impact on cultural resources if it would:

- Cause a substantial adverse change in the significance of an historical resource as defined in CEQA Guidelines §15064.5.
- Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines §15064.5.
- Directly or indirectly destroy a unique paleontological resource or site, or unique geologic feature.
- Disturb any human remains, including those interred outside of formal cemeteries.

IMPACT AND MITIGATION

ISSUES	POTENTIALLY SIGNIFICANT IMPACT	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	LESS THAN SIGNIFICANT IMPACT	NO IMPACT	SOURCES
5. CULTURAL RESOURCES. Would the project:					
a. Cause a substantial adverse change in the significance of an historical resource as defined in CEQA Guidelines §15064.5?				X	25,39,40
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines §15064.5?		X			27,38,87
c. Directly or indirectly destroy a unique paleontological resource or site, or unique geologic feature?				X	27,59
d. Disturb any human remains, including those interred outside of formal cemeteries?		X			27,87

Prehistoric Resources

The project site is in a potential archaeological resource zone; however, there are no recorded sites on the property, and although approximately 75 percent of the ground surface was covered by dense grasses, a reconnaissance of the site did not locate any cultural resources. There is no basis to warrant subsurface investigations or monitoring during construction at this time; however, there is still a possibility that unknown subsurface cultural resources may exist on the site.

MITIGATION MEASURES INCLUDED IN THE PROJECT

Program Measures

Native Americal Burials

- Pursuant to Section 7050.5 of the Health and Safety Code, and Section 5097.94 of the Public Resources Code of the State of California: In the event of the discovery of human remains during construction, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains. The Santa Clara County Coroner shall be notified by the developer and shall make a determination as to whether the remains are Native American. If the Coroner determines that the remains are not subject to his authority, he shall notify the Native American Heritage Commission, who will attempt to identify descendants of the deceased Native American. If no satisfactory agreement can be reached as to the disposition of the remains pursuant to this State law, then the landowner shall reinter the human remains and items associated with Native American burials on the property in a location not subject to further subsurface disturbance.

Project Measures

Prehistoric Resources

- Construction personnel shall be alerted to the potential for the discovery of archaeological materials, e.g., darker than surrounding soils, evidence of fires (ash, charcoal, fire affected rock or earth), concentrations of stone, bone or shellfish, and artifacts of these materials.
- Should evidence of prehistoric cultural resources be discovered during construction, work within 50 feet of the find shall be stopped to allow adequate time for evaluation and mitigation, and a qualified professional archaeologist called in to make an evaluation; the material shall be evaluated; and if significant, a mitigation program including collection and analysis of the materials prior to the resumption of grading, preparation of a report and curation of the materials at a recognized storage facility shall be developed and implemented under the direction of the Director of the Planning Division.

6. GEOLOGY AND SOILS

Advance Soil Technology, Inc. conducted a geotechnical /soil and foundation investigation that is included in the Technical Appendix.

SETTING

Topography

The project site has a uniform westerly slope of approximately 0.5 percent. Elevations on the site range from approximately 145 feet at the westerly corner to approximately 150 feet at the easterly corner. There are no significant topographical features on the site.

Geology

The project site is underlain by Quaternary alluvium (Qal), which consists of unconsolidated to weakly consolidated silt, sand and gravel. Quaternary alluvium includes Holocene and late Pleistocene alluvium and minor amounts of beach and dune sand and marine terrace deposits.

Geologic Hazard Zone

The project site is not located in a geologic hazard zone as mapped by the City of San Jose in accordance with the Geologic Hazards Ordinance.

Soils

The project site is underlain by the alluvial soils of the Yolo association as classified by the United States Department of Agriculture, Soil Conservation Service. Yolo loam, 0-2% slopes (YaA) in the northwest portion, Orestimba silty clay loam (Og) in the southwest portion, and Clear Lake clay, drained (Ch) in the remainder are the specific soil types identified at the site.

Yolo loam, 0-2% slopes is characterized by a grayish brown, massive, hard, neutral surface layer approximately 26 to 32 inches thick; good natural drainage; moderate subsoil permeability; very slow surface runoff; no erosion hazard; high inherent fertility (Class I); and a moderate shrink/swell capacity.

Orestimba silty clay loam is characterized by a grayish brown, subangular blocky, hard, neutral surface layer approximately 9 to 11 inches thick; poor natural drainage; very slow subsoil permeability; ponded runoff; no erosion hazard; low inherent fertility (Class IV); and a high shrink/swell capacity.

Clear Lake clay, drained is characterized by a dark gray, granular, very hard, neutral surface layer approximately 22 to 29 inches thick; poor natural drainage; slow subsoil permeability; ponded runoff; no erosion hazard; high inherent fertility (Class II); and a high shrink/swell capacity.

The site is mapped within a hazard zone for liquefaction on the City's *Geologic/Seismic Hazard Zones* maps. According to Cooper-Clark and Associates' San Jose Geotechnical Investigation, the site is mapped as having a high liquefaction potential, weak soil layers and lenses occurring at random locations and depths, highly expansive soils, no erosion potential, and is not susceptible to landslides. The high liquefaction potential is considered to warrant further geologic study at the environmental review stage.

Faulting

There are no identified active or potentially active earthquake faults mapped on the site, and the site is not mapped within a designated Alquist-Priolo Earthquake Fault Zone (formerly Special Studies Zone) or within a City of San Jose Fault Hazard Zone. The nearest active fault zones are the Hayward and Calaveras Faults, which are mapped approximately 3.1 and 5.9 miles respectively to the northeast, and the San Andreas Fault, which is mapped approximately 13.6 miles to the southwest.

Geotechnical Investigation

A geotechnical investigation was conducted in order to determine the existing soil conditions on the site and provide recommendations for grading and foundation design. The investigation included a site reconnaissance, review of available documents, laboratory analysis of field data, a seismic evaluation of the site, formulation of general site grading and pavement requirements, and formulation of conclusions and recommendations.

Field Investigation

The field investigation was performed on November 24, 2003 and included a reconnaissance of the site and the drilling of four exploratory borings. The borings were drilled to approximate depths of 20 to 50 feet below the existing ground surface. The locations and logs of the borings are included in the report in the Technical Appendix. The subsurface soil conditions consisted of layers of silty clay, sandy silty clay to clayey silty sand, and/or sandy clay to clayey silty sand. Free groundwater was encountered at depths of approximately 12 to 19 feet below the existing ground surface.

Laboratory Testing

The laboratory testing program was directed toward a quantitative determination of the physical and engineering properties of the soils underlying the site. Moisture content and dry density tests were performed to determine the consistency and moisture variation of the soil. The strength characteristics of the soil for the foundation engineering design were determined from unconfined compression and direct shear tests. Atterberg Limits tests were performed to determine the expansion potential of the soil; the near-surface soil at the site was found to have a moderate to high shrink/swell potential. The laboratory test results are included in the report in the Technical Appendix.

Investigative Conclusions

The primary geotechnical concerns at this site are seismic shaking, the moderately to highly expansive soils, and the liquefaction potential. From a geotechnical point of view, the site is suitable for the construction of the proposed development provided the report recommendations are incorporated in the design process and construction phase of the project.

SIGNIFICANCE CRITERIA

The proposed project would have a significant geology and soils impact if it would:

- Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving:
 - 1) Rupture of a known earthquake fault, as described on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to Division of Mines and Geology Special Publication 42.).
 - 2) Strong seismic ground shaking.
 - 3) Seismic-related ground failure, including liquefaction.
 - 4) Landslides.
- Result in substantial soil erosion or the loss of topsoil.
- Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse.
- Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property.
- Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater.

IMPACT AND MITIGATION

ISSUES	POTENTIALLY SIGNIFICANT IMPACT	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	LESS THAN SIGNIFICANT IMPACT	NO IMPACT	SOURCES
6. GEOLOGY AND SOILS. Would the project:					
a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving: <ol style="list-style-type: none">1) Rupture of a known earthquake fault, as described on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to Division of Mines and Geology Special Publication 42.)				X	42,43, 46,47,88
2) Strong seismic ground shaking?		X			27,45,88
3) Seismic-related ground failure, including liquefaction?			X		45,78,88
4) Landslides?				X	27,43,45

ISSUES	POTENTIALLY SIGNIFICANT IMPACT	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	LESS THAN SIGNIFICANT IMPACT	NO IMPACT	SOURCES
6. GEOLOGY AND SOILS (Cont.). Would the project:					
b. Result in substantial soil erosion or the loss of topsoil?		X			28,44,45
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			X		45,88
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?		X			44,45,88
e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?				X	28

Expansive Soils

The surface soils on the site pose a hazard to building foundations because of their moderate to high shrink/swell potential. Mitigation measures for this problem include controlling and directing drainage away from structures and pavements, and the use of special foundations.

Erosion

Development of the project site may subject the soils to accelerated erosion. In order to minimize erosion, erosion control measures such as those described in the Association of Bay Area Governments (ABAG) *Manual of Standards for Erosion & Sediment Control Measures* would be incorporated into the project.

Ground Rupture

Ground rupture (surface faulting) tends to occur along lines of previous faulting. As there are no known faults on the site, the potential for ground rupture due to an earthquake is low.

Seismic Shaking

The maximum seismic event occurring on the site would probably be from effects originating from the Hayward, Calaveras, or San Andreas fault systems. Ground shaking effects can be expected in the area during a major earthquake originating along any of the active faults within the Bay Area. At present, it is not possible to predict when or where movement will occur on these faults. It must be assumed, however, that movement along one or more of these faults will result in a moderate or major earthquake during the lifetime of any construction on this site. The effects on development would depend on the distance to the earthquake epicenter, duration, magnitude of shaking, design and quality of construction, and geologic character of materials underlying foundations.

The maximum credible earthquake, which is defined as *"the maximum earthquake that appears capable of occurring under the presently known framework"*, for the San Andreas Fault ranges from magnitude 8.0 to 8.3; and from magnitude 7.0 to 7.5 for either the Hayward or Calaveras Faults. The maximum probable earthquake, which is defined as *"the maximum earthquake that is likely to occur during a 100-year interval"*, for the San Andreas Fault ranges from magnitude 7.5 to 8.5; from magnitude 6.75 to 7.5 for the Hayward Fault; and from magnitude 6.5 to 7.0 for the Calaveras Fault.

Structural damage from ground shaking is caused by the transmission of earthquake vibrations from the ground into the structure. Ground shaking is apparently the only significant threat to structures built on the site; however, it is important to note that well-designed and constructed structures that take into account the ground response of the soil or rock in their design usually exhibit minor damage during earthquake shaking.

The project would be designed and constructed in accordance with Uniform Building Code requirements, which are intended to reduce seismic risks to an acceptable level.

Secondary Seismic Effects

Soil liquefaction is a phenomenon in which saturated, cohesionless soil layers located close to the ground surface lose strength during cyclic loading, such as imposed by earthquakes. During the loss of strength, the soil acquires a "mobility" sufficient to permit both horizontal and vertical movements. Soils that are most susceptible to liquefaction are clean, loose, saturated, uniformly graded, fine-grained sands. The conditions at this site are such that the potential for this phenomenon to occur is considered to be low.

Based on the topographic (and lithologic) data, the risk of lurch cracking, lateral spreading, landslides, tsunamis or seiches is considered low at the site.

MITIGATION MEASURES INCLUDED IN THE PROJECT

Program Measures

Seismic Shaking

- The project shall be designed and constructed to ensure structural stability as required by the earthquake design regulations of the Uniform Building Code.

Project Measures

General

- All earthwork and foundation plans and specifications shall comply with the recommendations of the Geotechnical / Soil and Foundation Investigation by Advance Soil Technology, Inc. The geotechnical report lists approximately 20 recommendations that are included in the project for site grading, foundations, slabs-on-grade, retaining walls, utility trenches, drainage, and pavement design, most of which reflect standard engineering practices that are not required to mitigate environmental impacts. The recommendations that specifically address potential geotechnical hazards found on the site are included below.

Expansive Soils

- Continuous perimeter and interior isolated spread footings or structural rigid mat foundations shall be utilized in any residences subjected to expansive soils movement.
- Drainage shall be controlled and directed away from all structures and pavements.

Erosion

- A City approved Erosion Control Plan shall be developed and implemented with such measures as: 1) the timing of grading activities during the dry months, if feasible; 2) temporary and permanent planting of exposed soil; 3) temporary check dams; 4) temporary sediment basins and traps and/or 5) temporary silt fences.

7. HAZARDS AND HAZARDOUS MATERIALS

Advance Soil Technology, Inc. conducted a Phase I preliminary environmental site assessment that is included in the Technical Appendix.

SETTING

Phase I Environmental Site Assessment

A Phase I preliminary environmental site assessment was conducted to determine if there were any environmental concerns with the project site due to its usage in the past, and to investigate and present the results of environmental hazard on and around the site. The assessment consisted of site history research, including a review of historical aerial photographs; a site reconnaissance; and a review of local, state and federal regulatory agency databases/documents.

Site History

Historical aerial photographs of the site from 1939 through 1993 were reviewed. The 1939 photo shows the site as vacant land and the surrounding area was undeveloped. The 1956 and 1965 photos show the site developed with a building, believed to be an older radio station building, while the remainder of the site was vacant and covered by trees. The general area remained undeveloped. The 1982 and 1993 photos show the site containing a different building (the current radio station building), and the remainder of the site and the general area (residential and commercial developments) appear to be the same as they are at the present time.

Review of City directories and historical maps, and interviews with neighbors to determine the site's past usage also resulted in the determination that the project site has not been utilized for any special purpose, except as a radio station site.

Site Reconnaissance

The project site is occupied by three radio towers and a one-story structure located at the northeast corner that is associated with the operation of KLOK radio station. One 500-gallon aboveground tank, a generator, and a few radio antenna dishes are located to the west of the building. The remainder of the site is covered with a moderate growth of weeds and grass. Access to the site is from S. King Road, and is covered with an asphalt pavement that runs into the radio station building and the maintenance yard.

No irrigation wells or groundwater monitoring wells were observed on the site. No pole or pad mounted transformers were observed. There was no evidence of any discoloration of soil at the site.

Regulatory Agency Review

Several applicable regulatory agency databases/documents pertaining to toxic and fuel contamination were searched to identify any past or present facility within a one mile radius with prior incidents of known release of contaminants that may have impacted or compromised the integrity of the project site, as detailed in the report in the Technical Appendix. The listings

provided records and information pertaining to registered underground storage tanks and underground storage tank leaks, aboveground storage tanks, hazardous materials, transformers, accidental releases, spills, active/non-active sites, and sites with remedial actions in progress. Cases identified within the one-mile radius are discussed in the report in the Technical Appendix. Cases mentioned that may be of environmental concern because of prior incidents of soil contamination do not pose a threat to the project site due to localized contamination; and cases that may be of environmental concern because of prior incidents of groundwater contamination do not pose a threat to the project site due to their being in an off-gradient direction with respect to the direction of groundwater flow. Therefore, it is concluded that the probability of environmental impairment to the project site due to offsite sources is minimal.

Records indicate that a 500-gallon diesel underground storage tank was installed on the project site in the early 1980s, and removed in 1990 under the direction of the San Jose Fire Department. Because no indication of contamination was observed by the Fire Department inspector, and the results of soil sampling revealed no detection of contaminants in the soil, the case was closed.

SIGNIFICANCE CRITERIA

The proposed project would have a significant hazards and hazardous materials impact if it would:

- Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials.
- Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.
- Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances or waste within one-quarter mile of an existing or proposed school.
- Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment.
- For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area.
- For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area.
- Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan.
- Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands.

IMPACT AND MITIGATION

ISSUES	POTENTIALLY SIGNIFICANT IMPACT	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	LESS THAN SIGNIFICANT IMPACT	NO IMPACT	SOURCES
7. HAZARDS AND HAZARDOUS MATERIALS. Would the project:					
a. Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?			X		26, 27,28,89
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			X		28,89
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances or waste within one-quarter mile of an existing or proposed school?				X	27,28,89
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				X	52
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				X	27,61
f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				X	27,61
g. Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan?				X	27
h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				X	25, 27,72,73

Soil/Groundwater Contamination

No evidence of environmental impairments were found to be associated with the project site. Site reconnaissance and records research did not find documentation or physical evidence of soil or groundwater impairments associated with the use of the property. A review of regulatory agency databases/documents found no documentation of hazardous materials violations or discharge on the property; and the probability of environmental impairment to the project site

due to offsite sources is minimal. Thus, there is no evidence to suggest that the project site was subjected to a source of contamination from on or offsite sources.

Demolition

There are no existing structures on the project site to be demolished.

MITIGATION MEASURES INCLUDED IN THE PROJECT

General

- The project site shall be viewed by a qualified environmental professional during demolition and pre-grading activities to observe areas of the property that may have been obscured by existing structures or pavement for such items as stained soils, septic systems, underground storage tanks, and/or unforeseen buried utilities; and, if found, a mitigation program shall be developed and implemented with such measures as soil testing, removal and/or offsite disposal at a permitted facility.

8. HYDROLOGY AND WATER QUALITY

SETTING

Waterways

There are no waterways on the project site or within 300 feet of the project site. Lower Silver Creek starts approximately 400 feet to the northeast on the easterly side of King Road.

Flooding

The project site is not within an area of historic flooding, and according to the Federal Emergency Management Agency's (FEMA) *Flood Insurance Rate Maps*, the site is not within Zone A, the area of 100-year flood. The Santa Clara Valley Water District's (SCVWD) *Maps of Flood Control Facilities and Limits of 1% Flooding* also show the project site does not lie within a flood zone.

Evergreen Development Policy

The Evergreen Development Policy (EDP) was adopted in August, 1976 and revised in 1991 and 1995 to address the issues of flood protection and traffic capacity on development in the Evergreen area. The Evergreen Development Policy Area is defined as land within San Jose's Urban Service Area Boundary, south of Story Road and east of U.S. 101. The project site is located within this area.

The 1976 EDP established protection from the 100-year flood as the standard condition for development approval. Over the years, development was allowed to proceed only if the 100-year flood protection was in place for each project and downstream of each project. As a result of developer contributions, the flood control system is substantially complete. The exceptions are the upstream portions of the Quimby and Fowler Creek watersheds where development has not yet occurred.

The 1995 Revised EDP maintains the 100-year flood protection prerequisite to project approvals and identifies the remaining watersheds to be improved to allow the buildout of Evergreen to proceed.

Water Quality

Stormwater runoff flows northwesterly to Coyote Creek, which flows northerly to the San Francisco Bay.

Nonpoint Sources

The Clean Water Act states that the discharge of pollutants in stormwater to Waters of the United States from any point source is unlawful, unless the discharge is in compliance with a National Pollutant Discharge Elimination System (NPDES) permit. The U.S. Environmental Protection Agency requires under the Clean Water Act that any stormwater discharge from construction sites larger than five acres be in compliance with the NPDES. The State Regional Water Quality Control Board (RWQCB), which is responsible for implementing and enforcing the program, issued a statewide General Permit for construction activities. Provisions of the current Permit require that the following issues be addressed with respect to water quality regardless of the size of the site: 1) erosion and sedimentation during clearing, grading or excavation of a site; and 2) the discharge of stormwater once construction is completed. Coverage under this Permit would be obtained by submitting a Notice of Intent to the RWQCB that identifies the responsible party, location and scope of operation; and by developing and implementing a Storm Water Pollution Prevention Plan (SWPPP) as well as monitoring the effectiveness of the plan.

The Santa Clara Valley Urban Runoff Pollution Prevention Program (SCVURPPP) was developed to control nonpoint sources of pollution from entering water sources and deteriorating water quality. The City of San Jose is a participant in SCVURPPP. A number of control measures, including those related to development activities, industrial and construction inspections, public agency activities and public outreach efforts, are also currently being developed and implemented. The development, implementation and enforcement of control measures to reduce pollutant discharges from areas of new development is the responsibility of the Urban Runoff Pollution Prevention Program in cooperation with the RWQCB.

SIGNIFICANCE CRITERIA

The proposed project would have a significant impact on hydrology and water quality if it would:

- Violate any water quality standards or waste discharge requirements.
- Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted).
- Substantially alter the existing drainage pattern of the site or area, including the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site.
- Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site.
- Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff.
- Otherwise substantially degrade water quality.

- Place housing within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map.
- Place within a 100-year flood hazard area structures that would impede or redirect flood flows.
- Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam.
- Be subject to inundation by seiche, tsunami or mudflow.

IMPACT AND MITIGATION

ISSUES	POTENTIALLY SIGNIFICANT IMPACT	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	LESS THAN SIGNIFICANT IMPACT	NO IMPACT	SOURCES
8. HYDROLOGY AND WATER QUALITY. Would the project:					
a. Violate any water quality standards or waste discharge requirements?		X			28,55,69
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?				X	25,27
c. Substantially alter the existing drainage pattern of the site or area, including the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?			X		25,26
d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?			X		25,26
e. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?			X		26,28
f. Otherwise substantially degrade water quality?		X			26,28
g. Place housing within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X	26, 27,53,54
h. Place within a 100-year flood hazard area structures that would impede or redirect flood flows?				X	26, 27,53,54

ISSUES	POTENTIALLY SIGNIFICANT IMPACT	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	LESS THAN SIGNIFICANT IMPACT	NO IMPACT	SOURCES
8. HYDROLOGY AND WATER QUALITY (Cont.). Would the project:					
i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				X	27,28
j. Be subject to inundation by seiche, tsunami or mudflow?				X	27

Flooding

The project site is not within the limits of potential inundation with the occurrence of a one percent flood. There is an existing 60-inch City of San Jose storm drainage line in King Road that is designed to serve the site in a developed condition. Development of the site would not cause flooding. Any excess flows beyond the design capacity would pond onsite.

Evergreen Development Policy

The project site is located in the Evergreen Development Policy Area. Any development within the Area is subject to the flood protection requirements listed below. Each policy is followed by a statement on the project's compliance.

1. Development will be allowed only if it is protected from the 100-year flood.
The project site is not subject to the 100-year flood.
2. Development will be allowed only if it would not divert flood or overland flows onto or cause flooding on other properties.
Completion of the improvements planned with the project would not divert flood or overland flows onto or cause flooding on any adjacent properties.
3. Flood control improvements required within the Evergreen Development Policy Area have been completed with the exception of the Quimby and Fowler Creek watersheds. Development within these watersheds must be consistent with Policies 1 and 2.
The project site is not within the Quimby or Fowler Creek watersheds.

The proposed project is in conformance with the flood protection requirements of the Evergreen Development Policy.

Erosion

The increase in impervious surface on the site would result in an increase in runoff from 3.6 cubic feet per second (cfs) pre-project to 11.0 cfs post-project. Increased flow and duration can contribute to downstream streambank erosion. The project will not have a direct outfall into any

stream. As described above, project flows will drain through the existing storm drainage system to Coyote Creek, which is approximately 1.0 mile westerly.

Water Quality

The primary impact on water quality would be from rooftop and driveway drainage. Particulates, oils, greases, toxic heavy metals, pesticides and organic materials are typically found in urban storm runoff. The project's contribution would have a potentially significant impact on water quality. Stormwater runoff could increase under project conditions as the amount of impervious surfaces (buildings and pavement) would increase from approximately 5 percent of the site to 86 percent of the site. The proposed 8.1-acre increase in impervious surfaces could increase the amount of stormwater discharged into the storm drainage system and Coyote Creek. In addition, temporary construction-related activities such as clearing, grading, or excavation could result in potentially significant impacts to water quality.

Stormwater runoff and pollution can be reduced by the use of pervious pavement and bioswales. Pervious pavement is a unique cement-based concrete product that has a porous structure that allows rainwater to pass directly through the pavement and into the soil naturally. This is achieved without compromising the strength, durability or integrity of the concrete structure. The pavement has a porous texture that allows water to drain through. It also mitigates first flush pollution and manages stormwater via infiltration. The surface area captures and aerobically degrades much of the hydrocarbon residue. The remainder is degraded by soil bacteria.

Bioswales are open, shallow channels with vegetation covering the side slopes and bottom that collect and slowly convey runoff flow to downstream discharge points. Bioswales both reduce the quantity and improve the quality of runoff.

Stormwater from the site can also be treated by measures such as a Continuous Deflective Separation (CDS) unit, which uses a non-blocking, non-mechanical screening process to remove pollutants from stormwater flows. The underground unit would be located on the storm drainage line near King Road prior to the connection to the City storm drainage system.

MITIGATION MEASURES INCLUDED IN THE PROJECT

Program Measures

Water Quality

- A Notice of Intent and a Storm Water Pollution Prevention Plan that addresses both construction and post-construction periods and specifies erosion and sediment control measures, waste disposal controls, maintenance responsibilities and non-stormwater management controls, shall be submitted to the RWQCB and maintained onsite, respectively, to comply with the stormwater discharge requirements of the NPDES General Permit.

Project Measures

Water Quality

- A Storm Water Pollution Prevention Plan (SWPPP) in compliance with the local NPDES permit shall be developed and implemented including: 1) site description; 2) erosion and sediment controls; 3) waste disposal; 4) implementation of approved local plans; 5) proposed post-construction controls, including description of local post-construction erosion and sediment control requirements; 6) Best Management Practices (BMPs) such as the use of infiltration of runoff onsite, first flush diversion, flow attenuation by use of open vegetated swales and natural depressions, stormwater retention or detention structures, oil/water separators, porous pavement, or a combination of these practices for both construction and post-construction period water quality impacts; and 7) non-storm water management.
- The project shall incorporate the following site design, source control, and treatment measures to minimize the discharge of stormwater pollutants:
 - Bioswales and pervious paving shall be incorporated into the RV and boat parking area.
 - A Continuous Deflective Separation (CDS) unit to treat stormwater flows shall be installed near the outfall of the storm drainage system.
 - No outdoor vehicle maintenance shall be allowed.
 - Roof drains shall discharge and drain away from the building foundation to an unpaved area wherever possible.
 - Sidewalks and parking lots shall be swept regularly to prevent the accumulation of litter and debris.

IMPACT AND MITIGATION

ISSUES	POTENTIALLY SIGNIFICANT IMPACT	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	LESS THAN SIGNIFICANT IMPACT	NO IMPACT	SOURCES
9. LAND USE AND PLANNING. Would the project:					
a. Physically divide an established community?				X	25,26
b. Conflict with any applicable land use plan, policy or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, local coastal program or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?			X		29
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?				X	25,26,28

The project would change the land use on the site from radio transmitter uses and vacant land to light industrial (self storage), and radio transmitter uses in accordance with the General Plan land use designation. Self storage use is compatible with the surrounding area due to the placement of the self storage buildings backing up to the residential property lines and/or the 8-foot-high concrete perimeter fences, and extensive frontal landscaping. Development of the project site would introduce new buildings to the area. These uses would change the view of the site and would generate increases in traffic, noise and air pollution in the area that would not be significant.

MITIGATION MEASURES INCLUDED IN THE PROJECT

None required.

10. MINERAL RESOURCES

SETTING

The project site does not contain a quarry; however, the site is mapped as having deeper sand and gravel deposits that are valuable for percolation.

SIGNIFICANCE CRITERIA

The proposed project would have a significant impact on mineral resources if it would:

- Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state.
- Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan.

IMPACT AND MITIGATION

ISSUES	POTENTIALLY SIGNIFICANT IMPACT	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	LESS THAN SIGNIFICANT IMPACT	NO IMPACT	SOURCES
10. MINERAL RESOURCES. Would the project:					
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X	27,29,59
b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				X	27,29,59

The project would not result in the loss of availability of a known mineral resource.

MITIGATION MEASURES INCLUDED IN THE PROJECT

None required.

11. NOISE

SETTING

Existing Noise Sources

Noise intrusion over the site originates primarily from vehicular traffic sources along US 101 and along King Road, which carries an Average Daily Traffic (ADT) volume of approximately 26,000 adjacent to the site, as shown on the *City of San Jose and Surrounding Area Traffic Flow Map (2001)*. The City of San Jose General Plan establishes a policy of requiring noise mitigation from transportation noise for industrial land use where the exterior level exceeds 70 dB DNL and/or the interior level exceeds 45 dB DNL. The project site is located between the 60 and 65 dB DNL noise contour lines from US 101; and King Road is designated as having noise level exceedances of 65 to 69 dBA at 50 feet from the centerline on the *City of San Jose Year 2020 Noise Exposure Map for Major Transportation Noise Sources*.

ALUC Noise Zone

The project site is not located within an Airport Land Use Commission (ALUC) Noise Zone (65 dB CNEL).

SIGNIFICANCE CRITERIA

The proposed project would have a significant noise impact if it would result in:

- Exposure of persons to, or generation of, noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.
- Exposure of persons to, or generation of, excessive groundborne vibration or groundborne noise levels.
- A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project.
- A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project.
- For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels.
- For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels.

IMPACT AND MITIGATION

ISSUES	POTENTIALLY SIGNIFICANT IMPACT	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	LESS THAN SIGNIFICANT IMPACT	NO IMPACT	SOURCES
11. NOISE. Would the project result in:					
a. Exposure of persons to, or generation of, noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?		X			26,28,60
b. Exposure of persons to, or generation of, excessive groundborne vibration or groundborne noise levels?				X	25,27
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			X		25,26,28
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?		X			25,26,28
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				X	27,61
f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				X	27,61

Standards

Office / Residential

Noise criteria that apply to the manager's office/residence are included in the City of San Jose General Plan, which establishes a policy of requiring noise mitigation from transportation noise for office / residential land use where the exterior level exceeds 60 dB DNL and/or the interior level exceeds 45 dB DNL. It is recognized, however, that attainment of the exterior noise quality levels in the vicinity of San Jose International Airport, the Downtown Core Area and along major roadways may not be achieved within the time frame of the General Plan.

Industrial

Noise criteria that apply to the project are included in the City of San Jose General Plan, which establishes a policy of requiring noise mitigation from transportation noise for industrial land use where the exterior level exceeds 70 dB DNL and/or the interior level exceeds 45 dB DNL. Noise levels in the area are within the General Plan standards.

The City of San Jose General Plan specifies a limit of 55 dB DNL at the property line of residential uses impacted by non-transportation related noise sources, such as mechanical equipment. The General Plan also specifies a limit of 60 dB DNL for transportation noise such as automobile and truck traffic. Industrial uses adjacent to residential use are also normally restricted by zoning performance standards to a maximum noise level of 55 dB at the property line.

Office/Residential Exterior Noise

The project site is located between the 60 and 65 dB DNL noise contour lines from US 101; and the noise level in Year 2020 is projected to be 65 to 69 dBA at 50 feet from the centerline of King Road. The future 65 to 69 dB DNL along King Road would exceed the City of San Jose policy level by up to 9 dB. The approximately 30-foot setback from the property line and the proposed 7-foot noise attenuation fence would reduce exterior noise exposures in the manager's yard to acceptable levels.

Office/Residential Interior Noise

A 15 dB attenuation factor due to standard building shell construction is applied to measured exterior exposures. This factor represents an annual average condition; i.e., assuming that windows with single-strength glass are kept open up to 50 percent of the time for natural ventilation. The interior noise exposure in the manager's office/residence would be up to 54 dB DNL under projected future (2020) traffic conditions. Thus, the interior exposure would be up to 9 dB in excess of the 45 dB interior limit of the General Plan. Appropriately rated windows and doors will be required to reduce interior noise levels to 45 dB DNL. Mechanical ventilation must be provided if windows and doors are to be maintained closed for noise control.

Project-Generated Noise

Noise generated by the operation of the storage facility would be from vehicles entering and exiting the site, and from the loading and unloading of materials at the storage facilities. The vehicle speeds would be low and the loading operations are not expected to be noisy. Storage facilities are not known to generate high noise levels. Noise generated by operations at the proposed self storage facility would be buffered by the 8-foot-high concrete perimeter fences and/or the placement of perimeter buildings, so that noise levels at the property lines of adjacent residential uses would not be allowed to exceed 55 dB for single events or 55 dB DNL.

Temporary Construction Noise

During construction, the site preparation and construction phase would generate temporary sound levels ranging from approximately 70 to 90 dBA at 50 foot distances from heavy equipment and vehicles. These construction vehicles and equipment are generally diesel powered, and produce a characteristic noise that is primarily concentrated in the lower frequencies.

The powered equipment and vehicles act as point sources of sound, which would diminish with distance over open terrain at the rate of 6 dBA for each doubling of the distance from the noise source. For example, the 70 to 90 dBA equipment peak noise range at 50 feet would reduce to 64 to 84 dBA at 100 feet, and to 58 to 78 dBA at 200 feet. Therefore, during the construction operations, sound level increases of 20 to 40 dBA due to these sources could occur near the project boundary.

Since construction is carried out in several reasonably discrete phases, each has its own mix of equipment and consequently its own noise characteristics. Generally, the short-term site preparation phase, which requires the use of heavy equipment such as bulldozers, scrapers, trenchers, trucks, etc., would be the noisiest. The ensuing building construction and equipment installation phases would be quieter and on completion of the project, the area's sound levels would revert essentially to the traffic levels.

MITIGATION MEASURES INCLUDED IN THE PROJECT

Program Measures

Office/Residential Interior Noise

- Mechanical ventilation shall be provided in accordance with Uniform Building Code requirements when windows are to be closed for noise control.

Project Measures

Office/Residential Exterior Noise

- The manager's yard shall be set back from the easterly property line by approximately 40 feet, and a 7-foot-high noise attenuation fence shall be constructed around the yard.

Office/Residential Interior Noise

- Windows and doors shall be maintained closed, and/or STC rated windows and doors shall be installed in the manager's office/residence to achieve a 45 dB DNL interior level to the satisfaction of the Director of Planning, Building and Code Enforcement.

Temporary Construction Noise

- Construction operations within 500 feet of any residential unit shall be scheduled for the daytime hours of 7:00 a.m. to 7:00 p.m. Monday through Friday so as to avoid the more sensitive evening, nighttime and weekend hours.
- All construction equipment, fixed or mobile, shall be in proper operating condition and fitted with standard factory silencing features; mufflers shall be used on all heavy construction equipment.

12. POPULATION AND HOUSING

SETTING

The population of the City of San Jose is approximately 918,800. The project site is located in Census Tract 5033.04, which has a population of approximately 7,258 (2000 Census). There are no housing units currently on the project site.

SIGNIFICANCE CRITERIA

The proposed project would have a significant impact on population and housing if it would:

- Induce substantial population growth in an area, either directly or indirectly.
- Displace numbers of existing housing, necessitating the construction of replacement housing elsewhere.
- Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere.

IMPACT AND MITIGATION

ISSUES	POTENTIALLY SIGNIFICANT IMPACT	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	LESS THAN SIGNIFICANT IMPACT	NO IMPACT	SOURCES
12. POPULATION AND HOUSING. Would the project:					
a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?				X	25,26,28
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X	25,26
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X	25,26

The project would not displace any existing housing units. The project would add 1 caretaker unit that could add up to 4 people to the City of San Jose, which would not be a substantial increase to the City's population.

Direct growth inducing impacts include the construction of streets and utilities that would provide access to or capacity for additional undeveloped land. The site is bordered by developed residential and commercial uses. The project would not have a direct growth inducing impact. Indirect growth inducing impacts include increases in population and economic impacts. There would be short-term increases in employment in the construction industry. The project would not have an indirect growth inducing impact.

MITIGATION MEASURES INCLUDED IN THE PROJECT

None required.

13. PUBLIC SERVICES

SETTING

Schools

The project site is in the Evergreen School District (K-8) and the East Side Union High School District (9-12). The closest schools are as follows:

School	Address	Approx. Distance (miles)	Enrollment
Whaley Elementary	2655 Alvin Avenue	1.2	800
Ley Va Middle	1865 Monrovia Drive	0.8	850
Silver Creek High	3434 Silver Creek Road	0.9	2,700

All of the schools are at or over capacity.

Parks

There is one developed City of San Jose park within walking distance (3/4 mile) of the project site. Meadowfair Park, an 8.4-acre neighborhood park located at Barberry Lane at Corda Drive, contains a playground, picnic tables, barbecues, and a soccer field.

Fire Protection

The project site is in the service area of the San Jose Fire Department. The fire stations responding to emergency calls, i.e., fires and emergency medical situations, within the project site and their approximate response times are listed below. The total reflex time is the time from when the Department first receives the call to when the firemen reach their destination.

Station No.	Address	Approx. Distance (miles)	Projected Travel Time (minutes)	Travel Time Standard (minutes)	Projected Total Reflex Time (minutes)	Total Reflex Time Standard (minutes)
Initial First Alarm:						
1st Engine: 24	2525 Aborn Road	1.1	2.7	4.0	6.7	8.0
2nd Engine: 16	2001 S. King Road	1.4	3.3	6.0	7.3	10.0
1st Truck: 16 *	2001 S. King Road	1.4	3.8	6.0	7.8	10.0
1st B. Chief 2	2933 Alum Rock Avenue	4.7	9.0	9.0	13.0	13.0
Full First Alarm:						
3rd Engine: 31	3100 Ruby Avenue	2.5	5.5	9.0	9.5	13.0
2nd Truck: 18	4430 Monterey Road	4.1	9.6	11.0	13.6	15.0
2nd B. Chief 13	4380 Pearl Avenue	5.6	10.6	11.0	14.6	15.0

* Urban Search and Rescue (USAR) unit.

B. Chief = Battalion Chief

All of the response times are within the recommended limits. It should be noted that all times are estimates based on average conditions and can vary considerably due to weather, time of day, traffic patterns and other variables. These estimated response times only measure the arrival of the emergency response vehicle to the “curb”; they do not consider the set up time required before abatement of an incident can begin nor the time it takes the firefighters to reach any victims.

Police Protection

The project site is within Beat No. P3 of the San Jose Police Department's service area. The most frequent crimes reported in Beat P3 during 2003 were petty theft, narcotics, simple assault, auto theft, and vandalism.

SIGNIFICANCE CRITERIA

The proposed project would have a significant impact on public services if it would:

- Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: Fire protection; Police protection; Schools; Parks; and Other Public Facilities.

IMPACT AND MITIGATION

ISSUES	POTENTIALLY SIGNIFICANT IMPACT	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	LESS THAN SIGNIFICANT IMPACT	NO IMPACT	SOURCES
13. PUBLIC SERVICES. Would the project:					
a. Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: Fire protection?			X		7
Police protection?			X		65
Schools?			X		5,6
Parks?			X		28
Other Public Facilities?			X		28

Schools

The project would have no direct impact on schools, but could have a secondary impact should any of the employees move into the district(s) or petition that their child(ren) be accepted into district schools under Allen Bill provisions. The Allen Bill only applies to elementary-aged school children.

The State School Facilities Act provides for school district impactation fees for elementary and high schools and related facilities as a condition of approval of non-residential projects, when a link is found between the new non-residential development and the need for schools. Both districts have implemented such a fee. The one-time fee, which is based on the square footage of newly constructed non-residential (commercial and industrial) use, would be paid prior to the issuance of a building permit and would be allocated to the two districts.

Parks

The City of San Jose provides parks and recreation facilities within the city. The project is not expected to have an impact on City park and recreation facilities, although employees could utilize them during lunch periods or after work. The City parks in the area are adequate to serve the project employees.

Fire Protection

The project site is in the service area of the San Jose Fire Department. All of the response times are within the recommended limits. No additional fire personnel or equipment would be necessary due to the implementation of this project.

Police Protection

The San Jose Police Department provides police protection for the city. No additional police personnel or equipment are expected to be necessary to serve the project.

MITIGATION MEASURES INCLUDED IN THE PROJECT

None required.

14. RECREATION

SETTING

There is one developed City of San Jose park within walking distance (3/4 mile) of the project site. Meadowfair Park, an 8.4-acre neighborhood park located at Barberry Lane at Corda Drive, contains a playground, picnic tables, barbecues, and a soccer field.

SIGNIFICANCE CRITERIA

The proposed project would have a significant impact on recreation if it would:

- Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated.
- Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment.

IMPACT AND MITIGATION

ISSUES	POTENTIALLY SIGNIFICANT IMPACT	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	LESS THAN SIGNIFICANT IMPACT	NO IMPACT	SOURCES
14. RECREATION.					
a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?			X		62,63
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?				X	26,28

The City of San Jose provides parks and recreation facilities within the city. The project is not expected to have an impact on City park and recreation facilities, although employees could utilize them during lunch periods or after work. The City parks in the area are adequate to serve the project employees.

MITIGATION MEASURES INCLUDED IN THE PROJECT

None required.

15. TRANSPORTATION / TRAFFIC

Fehr & Peers conducted a transportation impact analysis that is included in the Technical Appendix.

SETTING

Street System

Regional access to the site is provided by US 101 and by Capitol Expressway, while King Road/Silver Creek Road and Aborn Road provide local access.

US 101, in the site vicinity, is a north-south, eight-lane, freeway [three mixed-flow lanes plus one high occupancy vehicle (HOV) lane in each direction]. Access to the site is provided by its interchanges with Tully Road and with Capitol Expressway.

Capitol Expressway is an eight-lane, limited access roadway (three mixed-flow lanes plus one HOV lane in each direction) that is generally oriented in a north-south direction except near the project site.

King Road is a three to four-lane, north-south roadway that parallels US 101 in the project vicinity. Along the site frontage, King Road has one southbound lane and two northbound lanes. South of Lexann Way, King Road is designated as Silver Creek Road.

Aborn Road is a four to six-lane arterial that extends eastward from King Road to east San Jose.

Public Transit

Public transit in the project area is provided by the Santa Clara Valley Transportation Authority. Bus route 31 operates along King Road with stops on Capitol Expressway. The project site is not located within 2,000 feet of a light rail station.

Level of Service

In an urban street network, the critical determinants for overall traffic conditions are the operational characteristics of the major intersections. To establish a standard frame of reference when describing traffic flow, the concept of level of service is used. As described by the *Highway Capacity Manual*, the level of service of a facility is a theoretical traffic volume determined by its physical and operational characteristics and by stipulated conditions of traffic flow. It is a qualitative description of traffic flow based on such factors as speed, travel time, delay, and freedom to maneuver. Flow conditions vary from unrestricted at Level A to forced flow at Level F, as described on the second following page.

The major street system in the project site vicinity and the levels of service are shown on the following Major Street System map.

Click here for [MAJOR STREET SYSTEM MAP](#)
(FIGURE 22)

8 1/2 x 11

Level of Service	Type of Flow	Traffic Conditions	V/C Ratio
A	Free	No approach phase fully utilized. No vehicle waits longer than one red indication.	<0.60
B	Stable	An occasional approach phase is fully utilized.	0.60-0.69
C	Stable	Occasional drivers may have to wait through more than one red signal. Backups may develop behind turning vehicles.	0.70-0.79
D	Approaching Unstable	Delays to vehicles may be substantial during short peaks, but periodic clearance of queues prevents excessive backups from developing.	0.80-0.89
E	Unstable	Capacity, with sustained delays and backups.	0.90-0.99 *
F	Forced	Excessive delay.	Varies

* In general, V/C ratios could not be greater than 1.00. However, if future demand projections are considered for analytical purposes, a ratio greater than 1.00 might be obtained, indicating that the projected demand would exceed the capacity.

Evergreen Development Policy

The Evergreen Development Policy (EDP) was adopted in August, 1976 and revised in 1991 and 1995 to address the issues of traffic capacity and flood protection in the Evergreen area. The purpose of the 1995 Revised EDP is to provide the updated policy framework for the buildout of Evergreen, and it identifies the remaining street system improvements required to allow up to 4,620 planned or potential dwelling units to proceed. In 1998, the Policy was amended to define a significant impact requiring mitigation as: 1) An increase in traffic which causes a level of service designation to change; or 2) a. Residential Projects: The addition of any traffic to an intersection operating at Level of Service E or F, or b. Non-residential Projects: The addition of more than one-half percent increase in critical traffic movement to an intersection operating at Level of Service E or F.

This Policy is intended to apply to all properties planned for development in the EDP Area defined as land within San Jose's Urban Service Area Boundary, south of Story Road and east of U.S. 101. The project site is located within the Evergreen Development Policy Area.

Existing Conditions

Local conditions and project impacts are evaluated by SJ91, the standard level of service methodology used within the Evergreen Development Policy Area. SJ91 evaluates signalized intersection operations on the basis of volume/capacity ratio for the critical movements at the intersection. Nine major intersections that would be affected by the project are reviewed. The City of San Jose level of service standard is Level D or better.

The major intersections were evaluated under existing and future traffic conditions to determine their level of service. Future conditions were determined by adding traffic projections from approved projects that have not been occupied, as provided by the City Department of Public Works Development Services Division, to the existing condition.

The following table lists the volume/capacity ratios and equivalent levels of service for the existing and existing plus approved morning and evening peak hours.

Table 4. Existing Levels of Service

Intersection	Peak Hour	Existing		Existing + Approved	
		V/C Ratio	LOS	V/C Ratio	LOS
Capitol Expressway	a.m.	0.332	A	0.360	A
and Nieman Boulevard	p.m.	0.445	A	0.476	A
Aborn Road and	a.m.	0.487	A	0.568	A
and Nieman Boulevard	p.m.	0.611	B	0.705	C
Aborn Road and	a.m.	0.389	A	0.448	A
and Brigadoon Way	p.m.	0.495	A	0.560	A
Aborn Road and	a.m.	0.767	C	0.883	D
and Capitol Expressway	p.m.	0.894	D	0.965	E
King Road and	a.m.	0.550	A	0.650	B
and Barberry Lane	p.m.	0.631	B	0.678	B
King Road and	a.m.	0.436	A	0.476	A
and Aborn Road	p.m.	0.451	A	0.518	A
King Road/Silver Creek Road	a.m.	0.363	A	0.405	A
and Lexann Way	p.m.	0.591	A	0.603	B
Silver Creek Road and	a.m.	1.023	F	1.101	F
Capitol Expressway	p.m.	1.020	F	1.061	F
Silver Creek Road and	a.m.	0.906	E	0.916	E
Daniel Maloney Drive	p.m.	0.841	D	0.874	D

V/C = Volume to Capacity.

LOS = Level of Service.

Under the existing plus approved condition, three of the intersections, as shown in the above table in **bold**, are operating below Level D.

Congestion Management Program Analysis

A Congestion Management Program (CMP) analysis was not performed because the Santa Clara County Congestion Management Agency, which monitors regional traffic issues, does not require an analysis for small projects of less than 100 peak hour trips.

Freeway Segment Analysis

A freeway level of service analysis was not performed since project trips on freeway segments would not be greater than one percent of the capacity of the segments.

SIGNIFICANCE CRITERIA

The proposed project would have a significant impact on transportation / traffic if it would:

- Add any increase in traffic that causes a level of service designation to change; or add any traffic to an intersection within the Evergreen Development Policy Area operating at Level E or F for residential projects, or more than a one-half percent increase in critical traffic movement to an intersection within the Evergreen Development Policy Area operating at Level E or F for non-residential projects.
- Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways.
- Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks.
- Substantially increase hazards due to a design feature or incompatible uses.
- Result in inadequate emergency access.
- Result in inadequate parking capacity.
- Conflict with adopted policies, plans or programs supporting alternative transportation.

IMPACT AND MITIGATION

ISSUES	POTENTIALLY SIGNIFICANT IMPACT	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	LESS THAN SIGNIFICANT IMPACT	NO IMPACT	SOURCES
15. TRANSPORTATION/TRAFFIC. Would the project:					
a. Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio of roads, or congestion at intersections)?			X		68,71,90
b. Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?			X		74,90
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				X	27,28

ISSUES	POTENTIALLY SIGNIFICANT IMPACT	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	LESS THAN SIGNIFICANT IMPACT	NO IMPACT	SOURCES
15. TRANSPORTATION/TRAFFIC (Cont.). Would the project:					
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible land uses (e.g., farm equipment)?				X	26,28
e. Result in inadequate emergency access?				X	26,28
f. Result in inadequate parking capacity?				X	26,28,90
g. Conflict with adopted policies, plans or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?				X	26,29

Trip Generation

The project traffic generation is estimated in the following table.

Table 5. Project Traffic Generation

Land Use	Size (sq. ft.)	A.M. Peak Hour Trips			P.M. Peak Hour Trips		
		In	Out	Total	In	Out	Total
Self Storage	165,000	10	10	20	15	15	30

Trip Distribution and Assignment

The project-generated trips were distributed and assigned to the local street system in accordance with existing travel patterns and the relative locations of complementary uses, as detailed in the traffic analysis in the Technical Appendix.

Project Impacts

The major intersections were analyzed for changes in volume/capacity ratio and level of service with the addition of project traffic. The volume/capacity ratios and corresponding levels of service are listed in the following table, and the levels of service are shown on the following Traffic Impacts map.

The existing plus approved levels of service at the nine major intersections would remain unchanged with the addition of project traffic; and the project would not have more than a 0.5 percent increase in critical traffic movement at an intersection that is projected to operate at Level E or F. Therefore, the project's traffic impacts would be non-significant and no mitigation measures are required to meet the City's Evergreen Development Policy.

Click here for [TRAFFIC IMPACTS MAP](#)
(FIGURE 23)

8 1/2 x 11

Table 6. Project Levels of Service

Intersection	Peak Hour	<u>Exist. + Approved</u>		<u>Exist. + App. + Project</u>		% Increase in Critical Volume
		V/C Ratio	LOS	V/C Ratio	LOS	
Capitol Expressway	a.m.	0.360	A	0.360	A	0.06
and Nieman Boulevard	p.m.	0.476	A	0.476	A	0.05
Aborn Road	a.m.	0.568	A	0.568	A	0.05
and Nieman Boulevard	p.m.	0.705	C	0.705	C	0.08
Aborn Road	a.m.	0.448	A	0.449	A	0.10
and Brigadoon Way	p.m.	0.560	A	0.562	A	0.19
Aborn Road	a.m.	0.883	D	0.884	D	0.07
and Capitol Expressway	p.m.	0.965	E	0.967	E	0.09
King Road	a.m.	0.650	B	0.653	B	0.38
and Barberry Lane	p.m.	0.678	B	0.680	B	0.46
King Road	a.m.	0.476	A	0.479	A	0.65
and Aborn Road	p.m.	0.518	A	0.522	A	0.87
King Rd./Silver Creek Rd.	a.m.	0.405	A	0.406	A	0.31
and Lexann Way	p.m.	0.603	B	0.606	B	0.36
Silver Creek Road	a.m.	1.101	F	1.101	F	0.12
and Capitol Expressway	p.m.	1.061	F	1.061	F	0.18
Silver Creek Road	a.m.	0.916	E	0.916	E	0.05
and Daniel Maloney Drive	p.m.	0.874	D	0.877	D	0.23

V/C = Volume to Capacity.

LOS = Level of Service.

Evergreen Development Policy

The project site is located within the Evergreen Development Policy (EDP) Area. Development would be allowed in the EDP Area only if adequate transportation facilities are provided to maintain existing plus approved Level of Service throughout the Area. The project would not change the Level of Service at any intersection, or add more than one-half percent increase in the critical volume at an intersection operating at Level of Service E or F.

MITIGATION MEASURES INCLUDED IN THE PROJECT

None required.

16. UTILITIES AND SERVICE SYSTEMS

SETTING

Sanitary Sewers

There is an existing 12-inch and an existing 18 to 21-inch City of San Jose sanitary sewer in King Road. Extensions within the project would be required.

Wastewater Treatment

Wastewater treatment for the City of San Jose is provided by the San Jose-Santa Clara Water Pollution Control Plant (WPCP). Capacity is expected to be available to serve the project based on the current capacity of 167 million gallons per day (MGD). The Water Pollution Control Plant is currently processing an estimated 135 MGD of dry weather flow. At the same time, the WPCP is currently operating under a 120 MGD dry weather flow trigger. This requirement is based upon the State Water Resources Board and the Regional Water Quality Control Board (RWQCB) concerns over the effects of additional freshwater discharges on the saltwater marsh habitat, and pollutants loading to the South Bay from the WPCP. A Growth Management System regulates new development to assure that the capacity is not exceeded. There are programs and services in place to help minimize flows to the Plant and, while plans are in place to ensure Plant compliance with the 120 mgd trigger, those plans call for conservation and water recycling as strategies for ongoing compliance.

Water Supply

There is an existing 12-inch San Jose Municipal Water System water line in King Road. Extensions within the project would be required.

Storm Drainage Facilities

There is an existing 12 to 18-inch and an existing 60-inch City of San Jose storm drainage line in King Road. Extensions within the project would be required.

Solid Waste / Recycling

There are several solid waste disposal service companies available for industrial purposes in San Jose. They are using the Newby Island sanitary landfill disposal site operated by International Disposal Company, and/or the Kirby Canyon disposal site operated by Waste Management of California, Inc. Newby Island has an estimated service life of 30 years. Kirby Canyon has an estimated service life of up to 50 years.

Gas and Electric Service

Natural gas and electric services for San Jose are provided by Pacific Gas and Electric Company. There are existing services in the area.

Telephone Service

There are several telephone service providers available for industrial purposes. There is existing service in the area.

SIGNIFICANCE CRITERIA

The proposed project would have a significant impact on utilities and service systems if it would:

- Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board.
- Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.
- Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.
- Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed.
- Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments.
- Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs.
- Comply with federal, state and local statutes and regulations related to solid waste.

IMPACT AND MITIGATION

ISSUES	POTENTIALLY SIGNIFICANT IMPACT	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	LESS THAN SIGNIFICANT IMPACT	NO IMPACT	SOURCES
16. UTILITIES AND SERVICE SYSTEMS. Would the project:					
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?			X		11,28,69
b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X		10,28
c. Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X		9,28
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?			X		10,28

ISSUES	POTENTIALLY SIGNIFICANT IMPACT	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	LESS THAN SIGNIFICANT IMPACT	NO IMPACT	SOURCES
16. UTILITIES AND SERVICE SYSTEMS (Cont.). Would the project:					
e. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?			X		28
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?			X		28
g. Comply with federal, state and local statutes and regulations related to solid waste?			X		28

Sanitary Sewers

Sanitary sewer service for the project site is provided by the City of San Jose. The existing sanitary sewer lines in King Road are available and adequate to serve the project. Extensions within the project would be provided.

Wastewater Treatment

Wastewater treatment for the City of San Jose is provided by the San Jose-Santa Clara Water Pollution Control Plant. High energy efficiency appliances (e.g., Energy Star Certified clothes washers, dishwashers, etc.) would be provided with the project.

Water Supply

Water for the project site is provided by the San Jose Municipal Water System. The existing water line in King Road is available and adequate to serve the project. Extensions within the project would be provided. The project incorporates built-in water savings devices such as shower heads with flow control devices and low flush toilets to reduce water usage.

Storm Drainage Facilities

An increase in impervious surfaces associated with project development would cause an increase in stormwater runoff. Storm drainage service for the project site is provided by the City of San Jose. The existing storm drainage lines in King Road are available and adequate to serve the project. Extensions within the project would be provided. An onsite collection system including curbs, gutters and an underground system would be included in the project.

Solid Waste / Recycling

There are several solid waste disposal service companies available for industrial purposes in San Jose. The amount of solid waste generated by the project would be reduced with recycling.

Gas and Electric Service

There are existing Pacific Gas and Electric Company gas and electric services in the area that would be extended as required to serve the project. There is sufficient capacity in this utility system to provide adequate project service.

Telephone Service

There are existing telephone facilities in the area that would be extended as required to serve the project. There is sufficient capacity in this utility system to provide adequate project service.

MITIGATION MEASURES INCLUDED IN THE PROJECT

None required.

17. MANDATORY FINDINGS OF SIGNIFICANCE

ISSUES	POTENTIALLY SIGNIFICANT IMPACT	POTENTIALLY SIGNIFICANT UNLESS MITIGATION INCORPORATED	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
17. MANDATORY FINDINGS OF SIGNIFICANCE.				
a. Does the project have the potential to (1) degrade the quality of the environment, (2) substantially reduce the habitat of a fish or wildlife species, (3) cause a fish or wildlife population to drop below self-sustaining levels, (4) threaten to eliminate a plant or animal community, (5) reduce the number or restrict the range of a rare or endangered plant or animal or (6) eliminate important examples of the major periods of California history or prehistory?			X	
b. Does the project have impacts that are individually limited, but cumulatively considerable? "Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects and the effects of other current projects.			X	
c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?		X		

Impact Summary

As discussed in previous sections, the proposed project would have environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly, with respect to air quality, geology and soils, hydrology and water quality, and noise. With the implementation of the previously listed Mitigation Measures Included in the Project, these impacts would be reduced to less-than-significant impacts with mitigation.

ENVIRONMENTAL CLEARANCE APPLICATION

APPLICANT'S CERTIFICATION

APPLICANT Bay Area Self Storage

PROJECT TITLE **King Road Self Storage**

PROJECT LOCATION Westerly side of King Road, approximately 800 feet northerly of Aborn Road

I hereby certify that the statements furnished about and in the attached exhibits present the data and information required for this initial evaluation to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief.

If, to my knowledge, any of the facts represented here change, it is my responsibility to inform the City of San Jose.

Date

Applicant

APPENDIX

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12. **Skip Lacaze**, Senior Environmental Specialist, Office of Environmental Management, City of San Jose
13. **Gas and Electrical Mapping Departments**, Pacific Gas and Electric Company
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87. **Archaeological Literature Review and Field Inspection of the 9.9 Acre King Road Rezoning Project, San Jose, Santa Clara County, California**, Holman & Associates, May 18, 2004
88. **Geotechnical / Soil and Foundation Investigation, Self Storage Development, 2905 S. King Road, San Jose, California**, Advance Soil Technology, Inc., December 19, 2003
89. **Phase I Preliminary Environmental Site Assessment, Proposed New Self Storage Facility, 2905 S. King Road, San Jose, California**, Advance Soil Technology, Inc., January, 7, 2004
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TECHNICAL APPENDIX

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Copies of the following consultants' reports, which were prepared for **King Road Self Storage** and are summarized in this Environmental Clearance Application / Initial Study, are included in this Technical Appendix.

Tree Report, 2905 King Rd., San Jose, CA, HortScience, Inc., July, 2004

Presence/Absence Burrowing Owl Surveys for the King Road Rezoning Project, San Jose, CA, Live Oak Associates, Inc., May 19, 2004

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